

THIS ORDER IS  
APPROVED.



1 **TIFFANY & BOSCO**  
2 P.A.

3 **2525 EAST CAMELBACK ROAD**  
4 **SUITE 300**  
5 **PHOENIX, ARIZONA 85016**  
6 **TELEPHONE: (602) 255-6000**  
7 **FACSIMILE: (602) 255-0192**

Dated: February 08, 2010

*James M. Marlar*  
JAMES M. MARLAR  
Chief Bankruptcy Judge

Mark S. Bosco  
State Bar No. 010167  
Leonard J. McDonald  
State Bar No. 014228  
Attorneys for Movant

09-28170/1100218479

10 **IN THE UNITED STATES BANKRUPTCY COURT**  
11 **FOR THE DISTRICT OF ARIZONA**

12 IN RE:

No. 4:09-bk-27769-JMM

13 Ingeborg B. Fitzpatrick  
14 Debtor.

Chapter 13

15 U.S. Bank National Association, as Trustee for the  
16 Structured Asset Investment Loan Trust, 2006-  
17 BNC3

ORDER

(Related to Docket #26)

Movant,

vs.

Ingeborg B. Fitzpatrick, Debtor, Diane C. Kerns,  
Trustee, Trustee.

Respondents.

23 Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed  
24 Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any,  
25 and no objection having been received, and good cause appearing therefore,

26 IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real  
2 property which is the subject of a Deed of Trust dated March 16, 2006 and recorded in the office of the  
3 Pinal County Recorder wherein U.S. Bank National Association, as Trustee for the Structured Asset  
4 Investment Loan Trust, 2006-BNC3 is the current beneficiary and Ingeborg B. Fitzpatrick has an interest  
5 in, further described as:

6 LOT 81, OF PARCEL 28-B AT SUPERSTITION FOOTHILLS, ACCORDING TO THE PLAT  
7 OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY,  
ARIZONA, RECORDED IN CABINET C, SLIDE 124;

8 EXCEPT 1/16TH OF ALL OIL, GAS, OTHER HYDROCARBON SUBSTANCES, HELIUM  
9 OR OTHER SUBSTANCES OF A GASEOUS NATURE, COAL, METALS, MINERALS,  
FOSSILS AND FERTILIZER OF EVERY NAME AND DESCRIPTION, TOGETHER WITH  
10 ALL URANIUM, THORIUM, OR ANY OTHER MATERIALS WHICH MAY BE  
DETERMINED BY THE LAWS OF THE UNITED STATES, OR OF THIS STATE, OR  
DECISIONS OF COURT, TO BE PECULIARLY ESSENTIAL TO THE PRODUCTION OF  
11 FISSIONABLE MATERIALS, WHETHER OR NOT OF COMMERCIAL VALUE AND  
EXCLUSIVE RIGHT THERETO, ON, IN OR UNDER THE ABOVE DESCRIBED LANDS  
12 SHALL BE AND REMAIN AND HEREBY RESERVED IN AND RETAINED BY THE  
STATE OF ARIZONA, AS SET FORTH IN THE PATENT TO SAID LAND.

13  
14 IT IS FURTHER ORDERED that Movant may contact the Debtor(s) by telephone or written  
correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance  
15 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement  
with Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability against  
16 Debtors if Debtors' personal liability is discharged in this bankruptcy case.  
17  
18

19 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter  
20 to which the Debtor may convert.  
21

22 DATED this \_\_\_\_ day of \_\_\_\_\_, 2010.  
23  
24

25 JUDGE OF THE U.S. BANKRUPTCY COURT  
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